

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

USDC SDNY
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ELECTRONICALLY FILED
DOC#:
DATE FILED: 10/20/2023

YAN LUIS,

Plaintiff,

-against-

TRADEHOME SHOE STORES, INC.,

Defendant.

23-cv-06510 (ALC)

ORDER OF DISMISSAL

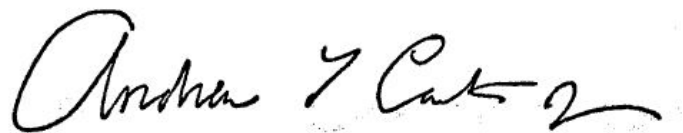
ANDREW L. CARTER, JR., United States District Judge:

On July 27, 2023, Plaintiff filed a Complaint commencing this action. ECF No. 1. Plaintiff brings this suit against Tradehome Shoe Stores, Inc. ("Defendant"). The Defendant's answer was due on October 10, 2023, 2023. ECF No. 6. To date, no answer or response has been filed and Plaintiff has not sought a default judgment. ECF No. 7. On October 12, 2023, the Court ordered Plaintiff to show cause as to why this action should not be dismissed without prejudice pursuant to Fed R. Civ. P. 41(b). ECF No. 7. The Court directed Plaintiff to respond by October 19, 2023, and the Court warned Plaintiff that any failure to make this showing would result in a dismissal of this case without prejudice for failure to prosecute pursuant to Fed. R. Civ. P. 41(b). *Id.*

To date, Plaintiff has failed to respond to the Order to Show Cause. Accordingly, this action is hereby **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 4(m). The Clerk of Court is respectfully directed to terminate this case.

SO ORDERED.

Dated: October 20, 2023
New York, New York



ANDREW L. CARTER, JR.
United States District Judge